IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
ORIGINAL JURISDICTION
Dated: Nainital: the 20th day of September 2005
Bail application no. 534 **of 2005**
Order on the bail application of accused

CRIMINAL SIDE

Har Singh S/o Mangal Singh
R/o Village Lakharkot, Patti Bichhala Chaukot
Tah. Bhikiyasen
District Almora …Applicant

Versus

State of Uttaranchal …Opposite Party

Arising out of Case Crime No. 01 of 2004
Under Sections 498A, 304B, 120B I.P.C.
S.T. No. 9 of 2005
Patwari Kshetra Dhaniyal/Chakar Gaon
District Almora

By the court

Hon'ble B.C. Kandpal,J

The applicant has applied for bail in Case Crime No. 01 of 2004 under Sections 498A, 304B, 120B of I.P.C. in S.T. No. 9 of 2005, Patwari Kshetra Dhaniyal/ Chakar Gaon, District Almora.

Heard Smt Pushpa Joshi, learned counsel for the applicant, learned A.G.A. and perused the record.

Learned A.G.A. has filed the supplementary counter affidavit by which two letters of the accused/ applicant have been annexed. On the perusal of those letters, it does not reveal anywhere that the cause of the death is on account of dowry.

The death of the victim is by way of poison. Therefore, at this stage, it cannot be positively said whether it is a case of dowry death or a suicide committed by the victim.

Having considered the aforesaid circumstances of the case, I think, it would be just and proper to release the applicant on bail at this stage.

Let the applicant Har Singh be released on bail on his executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of Magistrate concerned.

(B.C. Kandpal,J.)

20.09.2005
ASWAL